

# Notice of Allowability

Application No.

10/670,814

Examiner

Adrienne C. Johnstone

Applicant(s)

MARTIN ET AL.

Art Unit

1733

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 25 September 2003.
2. ☒ The allowed claim(s) is/are 12-18 (new claims 1-7).
3. ☒ The drawings filed on 25 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/978,451.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 092503
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Adrienne C. Johnstone  
Primary Examiner  
Art Unit: 1733

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*Examiner's Amendment*

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification

In the insert before the first line of the specification the continuing data has been amended to update the status of the parent application and delete the improper cross-reference to the French priority document as --

This application is a divisional of U.S. Patent Application Serial No. 09/978,451, filed October 17, 2001, now U.S. Patent No. 6,666,940 B2, issued December 23, 2003 [which claims priority to French Application No. FR 00/13424, filed October 18, 2000].

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*Reasons for Allowance*

2. The following is an examiner's statement of reasons for allowance: Laurent (4,963,207) discloses an example of the prior art apparatus similar to the claimed apparatus but wherein the extruder die imparts a solid flat form to the section of uncured rubber. Kabe et al. (5,837,077) discloses an apparatus for laying an uncured rubber belt component during the manufacture of a tire in which an extruder extrudes an uncured rubber tube and a flattening roller flattens the tube to form a continuous tape which is adhered to a carcass layer on a shaping drum (col. 2 line 62 - col. 4 line 12 and col. 8 lines 14-39) but is silent as to the claimed manipulating robot and the claimed location of the flattening roller such that it is capable of cooperating with the shaping drum to flatten the tube on the drum. Hollmann (4,283,241) and Japanese Patent Applications 2-

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179729 A and 10-217353 A disclose apparatus similar to that in Kabe et al. for making tire components by extruding an uncured rubber or plastic tube and then flattening the tube and winding the tube to form the tire component but wherein the extruding die and flattening rollers are separated from the shaping drum so that the flattening rollers are not capable of cooperating with the shaping drum to flatten the tube on the drum. The prior art of record fails to disclose or suggest applicants' apparatus, including the particular combination of the extruder equipped with a die capable of imparting a tubular form to the intended section of uncured rubber, the rotary support of revolution capable of serving as a reference for the intended manufacture of a tire, the manipulating robot capable of imparting desired relative positions between the support of revolution and the extruder die, and the at least one roller downstream of the extruder die and capable of cooperating with the rotary support to flatten the tubular form on the rotary support, in the claimed environment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Priority*

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/978,451, filed on October 17, 2001. *Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrienne C. Johnstone whose telephone number is (571)272-1218. The examiner can normally be reached on Monday-Friday, 10:30AM-7:00PM.

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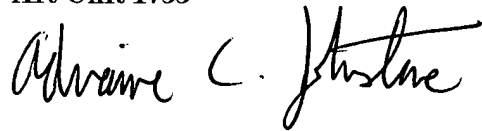
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571)272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Adrienne Johnstone

March 18, 2005

Adrienne C. Johnstone  
Primary Examiner  
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A handwritten signature in black ink, reading "Adrienne C. Johnstone". The signature is written in a cursive, flowing style with a large initial "A" and a long, sweeping underline.